



GALL-3712

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/542,674
		Filing Date	04/01/00
		First Named Inventor	Rouse, Graham M
		Group Art Unit	3712
		Examiner Name	FAYE FRANCIS
Total Number of Pages in This Submission	5	Attorney Docket Number	

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	RESPONSE TO OFFICE ACTION (2 PAGE LETTER)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

RECEIVED
MAY 15 2001
8700 MAIL ROOM

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	<i>D Rouse</i> / Graham M. Rouse
Signature	<i>D Rouse</i>
Date	MAY 7, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: **MAY 7, 2001**

Typed or printed name	Graham M. Rouse	
Signature	<i>D Rouse</i>	Date MAY 7, 2001

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FEET TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)195

Complete If Known

Application Number	<u>09/542,674</u>
Filing Date	<u>04/01/00</u>
First Named Inventor	<u>ROUSE, Graham M.</u>
Examiner Name	<u>FAYE FRANCIS</u>
Group Art Unit	<u>3712</u>
Attorney Docket No.	

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number Deposit Account Name

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)
101 710 201 355Fee Code (\$)
106 320 206 160Fee Description
Utility filing feeFee Description
Design filing feeFee Description
Plant filing feeFee Description
Reissue filing feeFee Description
Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20**	= <input type="text"/>	<input type="text"/>
Multiple Dependent	-3**	= <input type="text"/>	<input type="text"/>

Large Entity Small Entity

Fee Code (\$)
103 18 203 9Fee Description
Claims in excess of 20Fee Code (\$)
102 80 202 40Fee Description
Independent claims in excess of 3Fee Code (\$)
104 270 204 135Fee Description
Multiple dependent claim, if not paidFee Code (\$)
109 80 209 40Fee Description
** Reissue independent claims over original patentFee Code (\$)
110 18 210 9Fee Description
** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee 105 130 205 65	Fee Description Surcharge - late filing fee or oath	Fee Paid <input type="text"/>
127 50 227 25			Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139 130 139 130			Non-English specification	<input type="text"/>
147 2,520 147 2,520			For filing a request for ex parte reexamination	<input type="text"/>
112 920* 112 920*			Requesting publication of SIR prior to Examiner action	<input type="text"/>
113 1,840* 113 1,840*			Requesting publication of SIR after Examiner action	<input type="text"/>
115 110 215 55			Extension for reply within first month	<input type="text"/>
116 390 216 195			Extension for reply within second month	<input type="text"/>
117 890 217 445			Extension for reply within third month	<input type="text"/>
118 1,390 218 695			Extension for reply within fourth month	<input type="text"/>
128 1,890 228 945			Extension for reply within fifth month	<input type="text"/>
119 310 219 155			Notice of Appeal	<input type="text"/>
120 310 220 155			Filing a brief in support of an appeal	<input type="text"/>
121 270 221 135			Request for oral hearing	<input type="text"/>
138 1,510 138 1,510			Petition to institute a public use proceeding	<input type="text"/>
140 110 240 55			Petition to revive - unavoidable	<input type="text"/>
141 1,240 241 620			Petition to revive - unintentional	<input type="text"/>
142 1,240 242 620			Utility issue fee (or reissue)	<input type="text"/>
143 440 243 220			Design issue fee	<input type="text"/>
144 600 244 300			Plant issue fee	<input type="text"/>
122 130 122 130			Petitions to the Commissioner	<input type="text"/>
123 50 123 50			Processing fee under 37 CFR 1.17(q)	<input type="text"/>
126 180 126 180			Submission of Information Disclosure Stmt	<input type="text"/>
581 40 581 40			Recording each patent assignment per property (times number of properties)	<input type="text"/>
146 710 246 355			Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
149 710 249 355			For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
179 710 279 355			Request for Continued Examination (RCE)	<input type="text"/>
169 900 169 900			Request for expedited examination of a design application	<input type="text"/>
Other fee (specify) _____				<input type="text"/>

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)195**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	<u>Graham M. Rouse</u>	Registration No. (Attorney/Agent)		Telephone	<u>803 256 9743</u>
Signature	<u>G. Rouse</u>			Date	<u>MAY 7, 2001</u>

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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29205

May 7, 2001

RK
6/5/01

Ms Faye Francis
Art Unit 3712
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Re: Application # 09/542,674

#6/ELECTION

Dear Ms. Francis:

This letter is in response to your office action regarding this application mailed 2/7/01.

FIRST ELECTION: I elect Group 1, the species shown in Figs 1 and 5.

SECOND ELECTION: I elect the species of anchor aperture shown in Fig 17.

THIRD ELECTION: I elect the species of end tab connector shown in Figs 20 and 21.

When you assigned “Groups”, you specified Figs associated with those Groups. I did not find such specifications for your understanding of anchor aperture species or end tab connectors species. Figs 20 and 21 are closely related and fall under the same claims description. This description occurs in claims #11 (1), #14 (1), and # 16 (1). It reads:

“(1) sections of framing material having notches, wrap around other sections of framing material having notches in such a way as to interlock;”

My understanding of the situation regarding the **THIRD ELECTION** above is described in the paragraph below. Please advise me if this is correct. If it is not correct, please explain what is correct.

While it is possible that there may be notch systems which are patentably distinct from this pair and it may be possible that each would be considered patentably distinct if filed separately; in this case, both illustrated examples fall within the generic claim “(1)” in the paragraph above. As such, I understand that both configurations might be allowed under “(1)” above. If prior art were to be found eliminating one, then “(1)” above might be revised to limit the claim to the remaining configuration.

Based on my understanding of your description of patentably distinct species, here is my understanding of the claims that read on the elected species above:

FIRST ELECTION:

- Claim 1
- Claim 2
- Claim 11

SECOND ELECTION:

I understand that within Claims 1,2, and 11 it is your present intention to research only the one species of anchor aperture (being that species shown in Fig 17).

THIRD ELECTION:

I understand that within Claims 1,2, and 11 it is your present intention to research only the one species of end tab connectors (being that species shown in Figs 20 and 21).

I have made, above, the elections as required by your office action dated February 5, 2001 and mailed February 7, 2001.

I wish to respectfully submit, however, that Claims 1, 12 and 15 are generic claims that appropriately encompass the "patentably distinct species" you identified in your correspondence.

Each of the species you identify is presented in my application as dependent upon all the restrictions of its "parent" or independent claim. Since all of the species have the common restrictions of the parent claim/s, I understand that the parent claim/s are therefore generic and may appropriately be researched as a unit without the necessity of an election restriction.

I would like to, and plan to, do additional research on the matter and submit further information and arguments in support of my position. I will, however, do that under separate cover as I am eager to file this response today so as to avoid unnecessary extension fees.

Successfully,



Graham Rouse